

# REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 12 September 2002  
Name of applicant/court: Secretary for Internal Affairs  
Applicant to the Labelling Body: Not Applicable  
Title of Publication: 01ns004.jpg  
Other Known Titles: Not Stated  
Director: Not Applicable  
Producer: Not Applicable  
Publisher: Not Applicable  
Author: Not Applicable  
Format: Computer Image File  
Country of Origin: Not Applicable  
Language: Not Applicable

**Components of film originally examined:** Not Applicable.

Feature: Running time:  
Trailers: Running time:  
Total Running time:

Excision/Alteration: Not Applicable.

### Reason(s) for Excision:

Not Applicable.

### Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

### Display Conditions:

That when the publication is on public display, the classification given to the publication must be shown on the publication or any package in which the publication is kept.

### Descriptive Note:

Not Applicable.

Direction to issue a label has been given on: **Not Applicable**

## **SUMMARY OF THE REASONS FOR DECISION:**

The computer image file entitled *01ns004.jpg* is classified as:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The file explicitly depicts sexual activity in the nature of bondage, in that it shows a woman posing in a sexual manner while tied up with rope. The woman does not appear distressed or coerced but rather presents as a model deliberately posing. The explicit content of bondage, presented in a manner clearly intended for viewer sexual arousal, makes the publication inappropriate for a non-adult audience. Consequently, the availability of the publication is likely to be injurious to the public good unless it is restricted to an adult audience.

The classification of this publication as a restricted publication represents a limit on the freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990. However, considering the explicit and sexual nature of the publication, restricting the publication to an adult audience is considered to be the least intrusive option available to achieve the objective of preventing the likelihood of injury to the public good. The Classification Office believes that such a restriction is a reasonable limit that is consistent with the values of a free and democratic society.

OFLC Ref: 101530